

**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: January 13, 2008

AGENDA TITLE: Consideration of a motion to provide direction to staff on the public process and objectives for an area plan to guide land use, zoning, and development of the Junior Academy Site *(This item will be a joint discussion of Planning Board and City Council followed by separate actions by each.)*

REQUESTING DEPARTMENT:

Jane S. Brautigam, City Manager
Stephanie A. Grainger, Deputy City Manager
Ruth McHeyser, Executive Director of Community Planning
Susan Richstone, Long Range Planning Manager
Charles B. Zucker, Senior Urban Designer
Charles Ferro, Senior Planner

EXECUTIVE SUMMARY:

The purpose of this item is to request direction from the Planning Board and City Council on the proposed scope, public process, and initial objectives for an area plan for the former site of the Junior Academy at 2641 Fourth Street. Staff is recommending this process to address the City Council's desire that there be a public process when sites within the city that have been used historically for public or semi-public uses such as schools and churches are sold and redeveloped. Staff is proposing a concise area plan process that will address: comprehensive plan land use designations, zoning, housing types, massing, access and circulation patterns. The goal is to address the concerns and objectives of the city, landowners, and neighbors. The plan would be adopted by the Planning Board and City Council and would provide guidance for the review of plans submitted by the landowners.

Attachment A includes a memorandum from Stephen Sparn, the architect representing Fourth Street, LLC, the property owners. The memorandum provides information on the property, outreach efforts by the project design team, and the development options the owners are considering for the site. These include a senior residential community and a single family neighborhood.

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STAFF RECOMMENDATION:

Suggested Motion Language:

Staff requests Planning Board and City Council consideration of this matter and action in the form of the following motion (*Planning Board and City Council will take action separately following the public hearing and discussion of this item*):

Motion directing staff to proceed with an area planning process for the former site of the Junior Academy (2641 Fourth Street) and approving the proposed scope, public process, and initial objectives.

COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS:

- Economic: Area planning establishes the larger planning framework in which to review development proposals, providing greater predictability to the private sector prior to incurring the costs of detailed site planning and design. The economic benefits of area planning include a shorter and less costly development.
- Environmental: As part of the area planning effort environmental concerns such as transportation, hillside development, energy use, and greenhouse gas emissions may be addressed.
- Social: The property owners are considering a senior residential community as one option for the property, which would provide additional housing options for seniors in the community. Any residential development on the property will need to meet the city's affordable housing requirements.

OTHER IMPACTS:

- Fiscal: No additional funding is required in addition to current budget resources.
- Staff time: Work on this project was not anticipated as part of the long range or land use review division work plans. Therefore, staff has worked on developing a very short and efficient process that limits the amount of staff time and relies on the landowner's architect to provide some of the materials for the workshops (site analysis, initial concepts, etc.). Work on this project will impact the 2009 work plan by delaying the start of work on the 2010 Major Update to the Boulder Valley Comprehensive Plan.

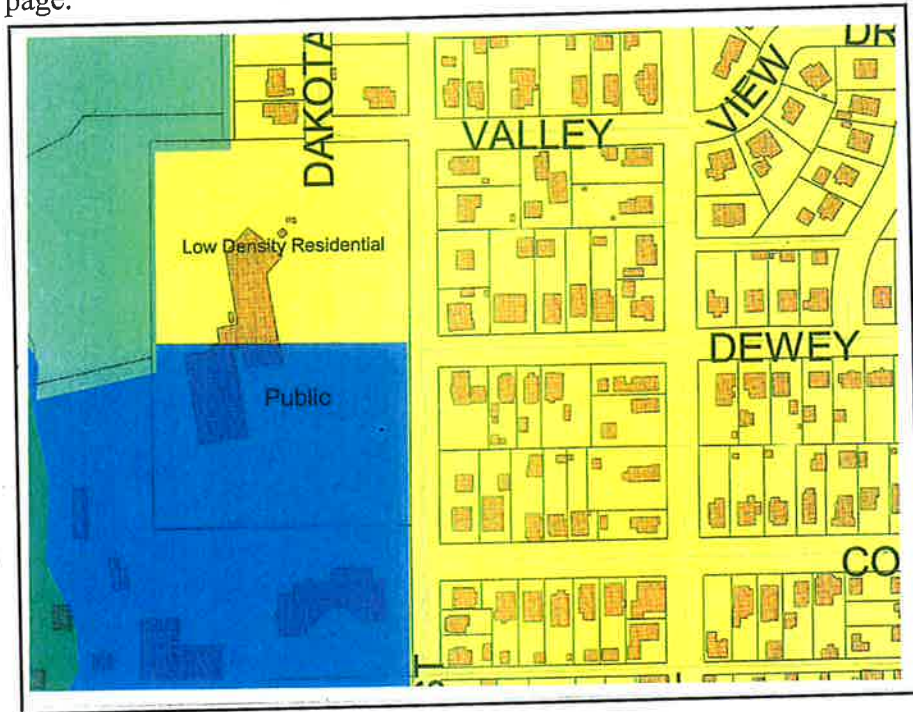
BACKGROUND:

This site was formerly the location of the Boulder Junior Academy, owned by the Seventh Day Adventist Church. The site is 5.84 acres in size, and is located south of Dakota Place, west of 4th Street, and north of the Mapleton Medical Center and surrounding medical offices. To the south and east is the Mapleton Hill Historic Neighborhood. To the east and north is the Newlands Neighborhood. To the west is city-owned open space, accessible by a trail immediately to the north of the site, a portion of which is located in an easement on this site. Prominent views exist to the west and east, and the site is highly visible from the west from the trail above the site and

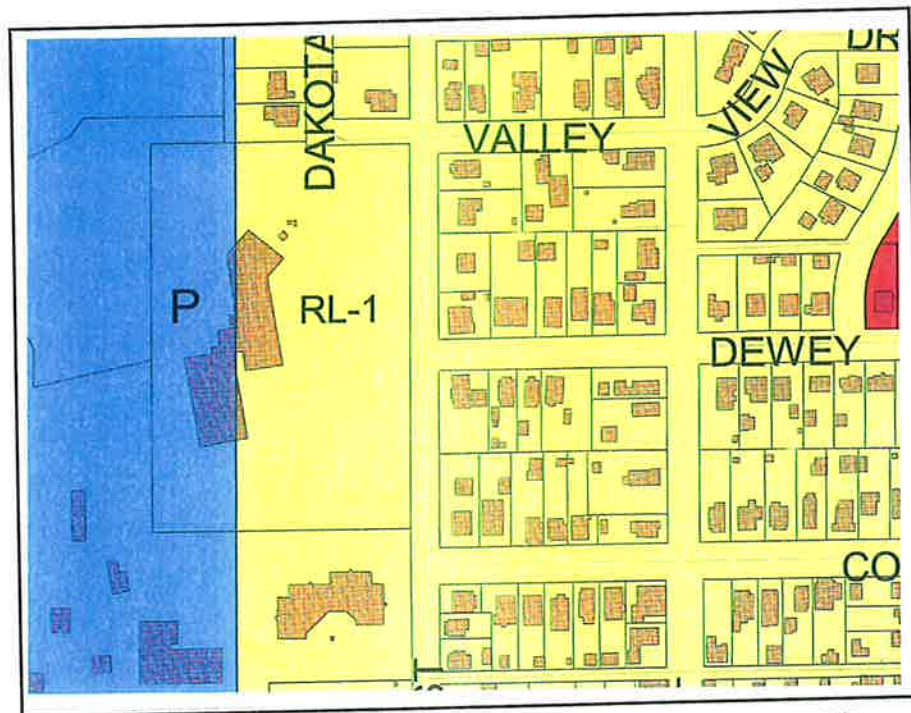
from the residential area to the east. All of the adjacent residential development is zoned Residential – Low 1 (RL-1) and the adjacent medical uses to the south are zoned Public (P).

The north half of the site is designated Low Density Residential and the south half is designated Public on the Boulder Valley Comprehensive Plan (BVCP) Land Use Map. The current zoning is not consistent with the BVCP land use designations, with the western 130 feet of the property zoned Public and the rest of the property zoned Low Density Residential (RL-1). (See maps below.) Both the split land use designation and the split zoning were likely mapping errors as explained on the next page.

**BVCP Land
Use Designation
Map**



Zoning Map



Staff research indicates that the entire site was zoned single family residential prior to 1971. The current split zoning came into effect in 1971 and appears to be the result of a mapping error. As a result of interest by the previous property owner to redevelop the site and the suspected mapping error, on October 17, 2002 Planning Board initiated a rezoning of this property.

Planning Board also initiated a change to the BVCP land use designations. Staff research indicates that in the 1970 Boulder Valley Comprehensive Plan, the entire property was designated Low Density Residential. The current split in land use map designations has been mapped this way since the 1977 Boulder Valley Comprehensive Plan was approved. It appears that the mapping of a portion of the property as Public in 1977 (when most of it was zoned LR-E and historically designated as Low Density Residential in the BVCP) was likely an error.

At the time that the Planning Board initiated the rezoning process, the board noted that consideration of issues like neighborhood character, compatibility, and context would be important considerations for redevelopment of this site. The rezoning was placed on hold in February of 2003, until a development proposal for the site was proposed.

In May, 2004 Mount Sanitas, LLC brought forward a Concept Plan application for 26 single family detached residential units with lots ranging from 6,500 to 12,000 square feet in size as well as a proposed rezoning of the western 1.9 acres of the 5.8 acre site from Public (P) and Residential Low - One (RL-1) to Residential Low - One (RL-1) exclusively. The application also proposed a change to the BVCP Land Use Designation for the southern 2.7 acres of the site from Public/Semi-Public to Low Density Residential.

The proposed concept plan application was not well received by the Planning Board or the neighborhood based on transportation issues, pedestrian connections, open space, density, architecture, house size, and site drainage. Planning Board de-initiated the rezoning in lieu of a more detailed, sensitive contextual redevelopment plan.

In April, 2005, Mount Sanitas, LLC returned to the Planning Board with an application for Concept Plan that included a new mixed-density, 42-unit residential development with a proposal to amend the Boulder Valley Comprehensive Plan's Land Use Designations to Open Space, Low Density Residential, and Medium Density Residential and a rezoning from Public (P) and Low Density Residential (RL-1) to Residential Mixed-Two (RMX-2) exclusively.

The proposed concept plan application was not well received by the Planning Board, staff, or the neighborhood based on transportation issues, pedestrian connections, unit mix, community benefit, open space, density, architecture, and house sizes. Further, the rezoning and land use plan changes were not supported by Planning Board, staff, or the neighborhood based on a failure to demonstrate consistency with many relevant BVCP policies and criteria.

The property was purchased by the current owner, Fourth Street, LLC in 2005. The current owner processed one pre-application request in 2006 involving the redevelopment of the site for 29 to 37 units that included a combination of single family detached, multifamily, and congregate care facilities.

ANALYSIS:

The proposed area planning process is outlined below:

Scope: To develop an area plan for the Junior Academy site that addresses: comprehensive plan land use designations, zoning, housing types, mass and scale, access and circulation patterns including roadway, alley, trail, and pedestrian connections. The plan is anticipated to be a short document approximately 4-6 pages in length that would include: plan objectives; maps and diagrams showing proposed land use, zoning, and circulation; and design guidelines.

Process: Series of 2-4 public workshops to develop an area plan that addresses concerns and objectives of the city, landowners, and neighbors. The intent is to develop an area plan that would provide guidance for changes to the Boulder Valley Comprehensive Plan land use map, zoning, and site planning by the landowners.

Workshop #1 (January 28) - Identify issues and objectives that plans will need to address.

Draft Agenda:

- Intro and meeting purpose – overview of proposed process; information on current land use, zoning, and what this would allow on the site; city objectives.
- Presentation by property owner/ representative including list of issues identified through neighborhood outreach process
- Break out into small groups: review list of issues and concerns to add, delete, amend; identify any questions or info needs, and review initial objectives for area plan.

Following workshop #1: prepare summary report on issues, opportunities, objectives, current land use and zoning, and potential land use and zoning options.

Workshop #2 (February 11) – Review options

Draft Agenda:

- Review outcome of Workshop #1
- Present various options that respond to concerns and opportunities identified at Workshop #1.
- Participants review and evaluate options based on objectives identified in Workshop #1.
- Identify preferred option.

Following workshop #2:

- Prepare report summarizing and evaluating options, and identify preferred option.
- Prepare draft area plan that includes: proposed Boulder Valley Comprehensive Plan land use designations, zoning, circulation, and guidelines for uses, intensity and massing on the site. The plan is anticipated to be a short document approximately 4-6 pages in length that would include: plan objectives; maps showing proposed land use, zoning, and circulation; and design guidelines.

Workshop #3 – Review draft area plan (March)

Following workshop #3, staff will revise the draft plan for adoption by Planning Board and City Council at public hearings in April and May.

Roles:

City staff - will convene the public process, provide staff expertise, facilitate meetings, and represent city policies and interests relating to development of these properties.

Landowner and architect - will provide technical analysis, information, and staffing to support process, and will represent landowner interests and concerns.

Neighborhood representatives – will provide input on neighborhood desires and concerns relative to development of the properties.

Planning Board and City Council – will provide initial guidance and will review and adopt the area plan.

Initial Area Plan Objectives – the following objectives are based on the policies in the Boulder Valley Comprehensive Plan:

Community Engagement - Engage community members in the area planning process, particularly those in the surrounding neighborhood.

Sensitive Infill

- Support and strengthen the surrounding neighborhood through appropriate building scale and compatible character of new development and sensitively designed and sized rights-of-way.
- Define the acceptable amount of infill and redevelopment and standards for design quality in order to avoid or adequately mitigate negative impacts and enhance the benefits of additional infill and redevelopment.

Urban Design

- Integrate new development with the existing neighborhood by relating positively to public streets, sidewalks and paths; providing multiple opportunities to walk from the street into the area; and incorporating well-designed functional open spaces.

Access and mobility

- Design new neighborhood streets in a well connected and fine-grained pattern of streets and alleys to effectively disperse and distribute vehicle traffic and to promote bike and pedestrian travel.
- Mitigate traffic impacts that cause unacceptable community impacts or unacceptable reduction in level of service. Include strategies to reduce the vehicle miles traveled (VMT) generated by the development.
- Provide easy and safe access by foot to places such as neighborhood centers, community facilities, transit stops or centers, and shared public spaces and amenities.

- Ensure that new development and redevelopment is designed in a manner that is sensitive to social, physical and emotional needs including accessibility to those with limited mobility; provision of coordinated facilities for pedestrians, bicyclists and bus-riders; provision of functional landscaping and open space; and the appropriate scale and massing of buildings related to neighborhood context.


Mixture of Housing Types.

- Further the city's affordable housing goals by providing permanently affordable housing consistent with city policies and regulations.
- Encourage a mixture of housing types with varied price ranges and densities.

Environmental Protection

- Hillside and ridgeline development will avoid negative environmental consequences to the immediate and surrounding area and the degrading of views and vistas from and of public areas.

Approved By:


Jane S. Brautigam,
City Manager

ATTACHMENTS:

- A. Memorandum from Stephen Sparr

Memorandum

To: Mayor Shawn McGrath and Members of the City Council

From: Stephen Sparn, AIA, Principal Architect – Stephen Sparn Architects, P.C

Re: Boulder Jr. Academy Update

Date: January 5, 2008

Dear Mayor and Members of City Council,

This memo is to provide an update on recent developments at the Jr. Academy property at 2641 Fourth Street. As you are likely aware, over the last five years, this site has been the focus of controversy over efforts to develop this property.

Most recently, the property was purchased by Fourth Street, LLC in September of 2006 with the intent of creating a residential estate compound for the purchaser. Again, after the owners more fully investigated the implications of developing a residential estate, they have decided to not pursue this direction from concern of making their personal residence a focus of a potential city wide debate. This response was due to City Staff feedback and the directions of the City's *Neighborhood Compatibility Project*.

Therefore, Fourth Street, LLC has begun efforts to initiate a process to develop this property in a way that meets both neighborhood and community goals. Based on the Zoning and Comprehensive Plan Designation of the property, two potentially suitable uses for this property have been identified; 1) an age-restricted Senior Living Community or 2) an appropriately scaled Single Family Residential neighborhood. Both potential uses have complications due to the mixed zoning and comprehensive plan designations of this property. To better understand the issues, a bit of background is provided.

Property Background

The 5.84 acre property located at 2641 Fourth Street is also known as the Boulder Junior Academy site. The site was developed in the early 1950's as a private elementary school serving the Seventh Day Adventists community. It operated as an elementary school for nearly 50 years as a *Public Zoned* use. The property was sold in 2003 to an investment group that proceeded to conduct two unsuccessful efforts to develop the site.

Neighborhood Outreach Process

Any successful neighborhood infill project starts with effective neighborhood outreach to understand issues pertaining to the property. With the benefit of the prior public record documenting the past neighborhood comments and public hearings, we have embarked on the important step of educating our team of the pertinent issues and concerns with developing this site. In our review of these past submissions, the key issues were centered on neighborhood compatibility, traffic and intensity of use. With this in mind, we have structured two types of neighborhood outreach to revisit these issues and

identify any new issues that may have arisen; 1) small grassroots individual and neighborhood meetings with past identified concerned citizens and 2) formalized public meetings.

From November 2, 2008 to date, our design team has conducted eight informal meetings with various neighborhood leaders in groups ranging in size from one to eight individuals. The purpose of these meetings was to share information about the recent efforts to develop this property while reaffirming the list of primary concerns. Additionally, an email summary of the current efforts has been distributed through a Mapleton neighbor to the Mapleton Hill Neighborhood Association by means of a listserv contacting approximately 200 people.

In these meetings the following issues were noted as concerns:

- Rezoning for higher density
- Traffic congestion
- Parking issues
- Loss of open space
- Permeability of the site
- Construction impacts

Zoning vs. Comp Plan Designation

The property has two Zoning designations and two Comprehensive Plan designations that are inconsistent with each other (see Exhibit 1). The western third of the property is zoned *P* (Public Use) and the eastern two-thirds of the property has a *RL-1* zoning (Low Density Residential). Additionally, the property has two Comprehensive Plan designations. The southern half of the property is designated as *Public Use* and the northern half as *Low Density Residential*. It is this mixed zoning and comp plan designations that make entitlement of this property complex.

Policy Issues

Because of the inconsistencies of zoning and comprehensive plan designations on this property, it seems likely that the Jr. Academy site will need rezoning and/or a comp plan designation change as it goes through entitlement. While the allowable densities are the same in both zones (6.2 du/acre), the allowable uses are somewhat different.

In a *Public* Zoning district, Congregate Care facilities are an *allowed use* when demonstrating compliance with Use Review criteria per 9-2-15 of Boulder's Land Use Code but are *prohibited use* in the Low Density Residential Zone (RL-1).

With only 1/3 of the site currently a Public Zone, the property does not have the critical mass necessary to create and sustain a Senior Residential Living Community. Therefore,

the owner would request to increase the portions zoned Public on the site. Should this not be considered practical from our city leaders perspective, the owner's will then seek to rezone the entire property to Low Density Residential (RL-1) and create a Single Family subdivision concept as described in more detail below.

The Boulder Valley Comprehensive Plan provides for the development of *area plans* of distinct small areas as a way to address planning issues that may affect neighborhoods. The owners see the process of developing an *area plan* for this site only as a way for the City to clarify both the City's and the neighborhoods desired use for this property. The *area plan* would then serve as the basis for a subsequent Site Review and Rezoning of the property if necessary.

Formalized Public Planning Sessions

Therefore, due to the complexity of the zoning and comprehensive plan designations for this site, a formalized public outreach and planning process has been designed to help resolve policy issues. Based on guidance and instruction from City Development Services Staff including Susan Richstone and Charlie Zucker, we are planning to participate in three formalized public planning workshops structured to result in an *Area Plan* for this site in which its findings would be ideally reviewed and adopted by Planning Board and City Council through public hearings. The Owners believe by clarifying acceptable residential land uses, zoning and context issues affecting this site through a formalized planning process, a more successful and streamlined entitlement process will occur.

Within the context of this proposed Area Plan and the allowable densities afforded by the existing zoning (both the same), the owners are considering two types of residential uses for this site:

Project Concept #1 – Senior Residential Community

We believe that this site, developed as a senior residential community could compliment the neighborhood while providing a vitally important community benefit – namely quality residential housing and services for our aging population. We realize that neighborhood compatibility must be demonstrated in a comprehensive entitlement process with substantial neighborhood outreach which the applicant is prepared to do.

This use is specifically encouraged in the Boulder Valley Comprehensive Plan as stated below:

Boulder Comprehensive Policy 7.09 – *Special Needs Populations* states; “*The city and county shall encourage development of housing for special needs populations including facilities for the elderly, the disabled and other populations requiring group homes or other specialized facilities where appropriate. The location of such housing should be in proximity to shopping, medical services, entertainment and public transportation.*”

The Jr. Academy site is conveniently located near Boulder Community Hospital and adjacent to its annex, Mapleton Rehabilitation Center. The property is on the RTD 201 bus line and located near to the Community Plaza and the Pearl Street Mall shopping areas.

The owner's intent is to develop this property as a holistic innovative Senior Residential Living Community with a vision that would contain tree-lined streets, surrounded by community gardens with a range of living choices to appeal to the evolving special needs of the mature community. We see this site, located in a quiet neighborhood at the base of the foothills with scenic vistas but close to quality medical services, as an ideal location for the active senior resident. The intent is to create a community in which a resident can age in a highly social and amenity rich environment in a wide variety of housing options that range from one to three bedroom apartments to single family detached homes and cottages. The *intentional living* concept will include *universal design* for all buildings that allow for safety and convenience as the senior ages.

We currently envision four types of age-targeted housing on the site:

- Active Living Single Family Homes
- Independent Living Multi-unit Cottages
- Independent Living Multi-unit Manor House
- Independent Living Apartments – The Lodge

In addition to the residential functions, there will be support facilities to promote a healthy and active lifestyle including meal services, laundry, transportation, spa and fitness facilities, meditation rooms, family gathering areas and activity centers. Cultural and community activity programs will be developed to encourage interaction with the surrounding neighborhood and city.

Project Concept #2 –Single Family Neighborhood

As an alternate solution, we are also developing concepts creating a single family subdivision layout. We see this concept containing a variety of lot sizes and single family residential character types varying in size between .4 - .6 FAR. As neighborhood compatibility is essential to this development option, this solution would be designed to follow the traditional community land use patterns conceived in the varying architectural and planning language of the neighborhood. The new homes texture, scale, materials and color would reflect a contemporary solution while respectful of the adjacent neighborhood. This can be achieved by incorporating historic neighborhood influences of nineteenth and twentieth century houses, traditional and new planning ideas and modern building practices creating a twenty-first century neighborhood.

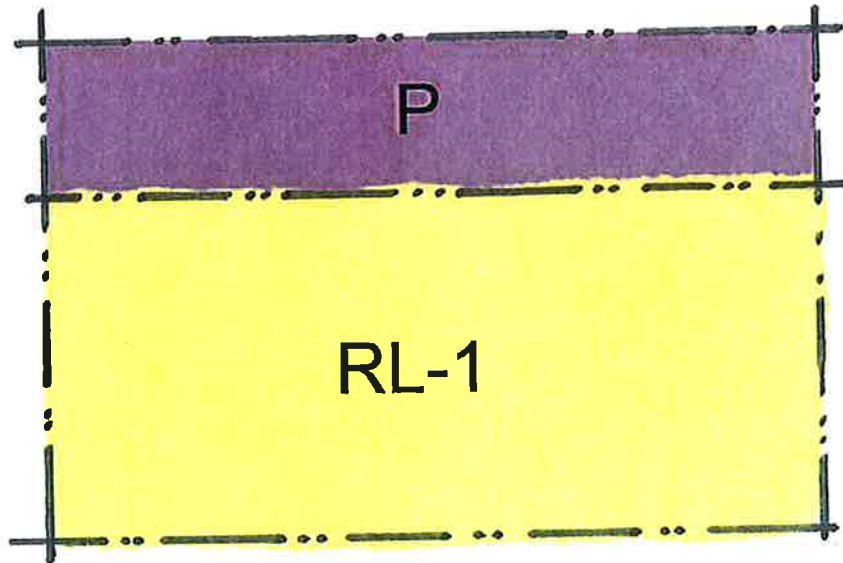
Summary

For the reasons discussed above, Fourth Street, LLC would like to request that City Council authorize Staff to work with the applicant to initiate a formalized Area Plan for the property at 2641 Fourth Street for the purposes of identifying issues and concerns related to this property and provide guidance for Comp Plan designation, zoning, circulation, uses and provide guidelines for site development on this property.

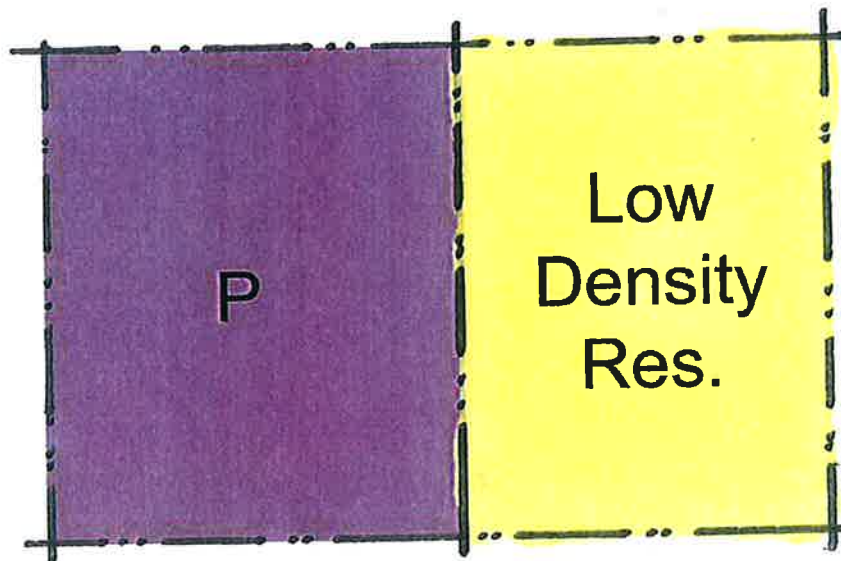
Attachments: Exhibit 1

Exhibit 1

Existing Zoning & Comprehensive Plan Designations



Existing Zoning



Existing Comprehensive Plan